THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION NO.5185 OF 2006

Date:20-11-2006

Between:

M/s Ramakrishna Rice Mill …Petitioner

And

The Commercial Tax Officer …Respondent

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION NO.5185 OF 2006

O R D E R *(Per the Hon'ble Sri Justice J.Chelameswar):*

The writ petition is filed with a prayer as follows:

> *"For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Court may be pleased to Issue Writ of Mandamus or any other appropriate writ or order or direction declaring the action of the respondent in passing the impugned assessment order dated 23.09.2005 in FORM VAT 305 levying tax, penalty and interest in the same order as arbitrary, contrary to the provisions of the AP VAT Act 2005 and also in violation of principles of natural justice and pass such other order or orders or direction."*

The impugned order is clearly an appealable order under Section 31 of the Andhra Pradesh Value Added Tax Act, 2005. In these circumstances, we do not see any reason to entertain this writ petition and the same is accordingly dismissed at the admission stage.

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(J.CHELAMESWAR,J)

Dated 20th November, 2006

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(D.APPA RAO,J)

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